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FROM DIRECTORS OFFICE

DEC 06 2006

TECHNOLOGY CENTER 3600

In re application of	:	DECISION ON PETITION
Yasuhiro Iwamura et al.	:	FOR SUSPENSION
Application No. 09/981,983	:	OF ACTION UNDER
Filed: October 19, 2001	:	37 CFR 1.103 (a)
For: NUCLIDE TRANSMUTATION DEVICE AND		
NUCLIDE TRANSMUTATION METHOD		

This letter is responsive to the petition for a third suspension of action under 37 CFR 1.103(a) received on November 8, 2006.

The petition for suspension of action under 37 CFR 1.103(a) is **GRANTED**.

A grantable petition for suspension of action under 37 CFR 1.103(a) requires:

- 1) A showing of good and sufficient cause for suspension of action, and
- 2) The fee set forth in 37 CFR 1.17(g), unless such cause is the fault of the Office.

A petition was filed on August 5, 2005 to suspend action by the examiner until a cooperative experiment could be conducted by an Independent Administrative Institution, RIKEN, which experiment has apparently since been completed. A decision granting a 6 month suspension was mailed August 15, 2005. In a petition filed April 4, 2006, the applicants indicated that additional cooperative research between the U.S. Naval Research Laboratory (NRL) and Mitsubishi Heavy Industries, Ltd on the subject matter of applicants' invention had been ongoing since May 20, 2005 and is scheduled to continue until May, 2007. Petitioner indicates in the instant petition that this schedule has not changed. Petitioner believes that the result of the research will provide experimental results in support of operability of the present invention that applicants would like to submit upon its publication. Furthermore, a second research team from Kobe University conducted research on related technology and applicants wish to submit information of the experiment as it becomes available.

There being ongoing research which may materially impact a decision on the operability of applicants' invention, it is deemed that the existence of these endeavors constitute a good and sufficient reason why a second suspension should be granted, and thus the petition for an additional period of suspension of six (6) months is reasonable and will be **GRANTED**.

Action by the Office on this application is suspended under 37 CFR 1.103(a) for a period of six (6) months from the date of this letter. At the end of this period, applicants are required to notify the examiner and request commencement of prosecution or a further suspension. See MPEP 709. If applicants wish to commence prosecution earlier than the expiration of the 6-month period, the examiner should be so notified.

The period for suspension will be six (6) months from the date of this letter.

Applicants' deposit account 15-0030 has been charged the required petition fee of \$200.00 under 37 CFR 1.17(g).

Any questions surrounding this decision should be directed to Quality Assurance Specialist Kenneth J. Dorner at (571) 272-6587.



Donald Hajec, Director
Technology Center 3600
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kjd: 12/05/06